

## NATIONAL FISH HATCHERY SYSTEM VOLUNTEER ACT OF 2006

---

SEPTEMBER 6, 2006.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

---

Mr. POMBO, from the Committee on Resources,  
submitted the following

### R E P O R T

[To accompany H.R. 5381]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 5381) to establish a volunteer program and promote community partnerships for the benefit of national fish hatcheries and fisheries program offices, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of H.R. 5381 is to establish a volunteer program and promote community partnerships for the benefit of national fish hatcheries and fisheries program offices.

#### BACKGROUND AND NEED FOR LEGISLATION

The majority of federal fish hatchery facilities are managed by the U.S. Fish and Wildlife Service. From its historic level of 136 National Fish Hatcheries in 1940, the System is now comprised of 69 National Fish Hatcheries, seven Fish Technology Centers, nine Fish Health Centers and one historic fish hatchery. The role of the National Fish Hatchery System is broader than private, state and tribal hatcheries which primarily stock fish for commercial and recreational fishing.

The National Fish Hatchery System has an existing volunteer program: its limited statutory authority is contained within the Fish and Wildlife Act of 1956. There are currently 18 “Friends of the Hatchery” volunteer organizations out of 150 eligible facilities.

This is despite the fact that the vast majority of our national fish hatcheries are more than sixty years old, the number of full-time hatchery employees has declined by more than 12 percent over the past decade, and the need for volunteer services is significant.

This legislation is modeled after the highly successful National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998. As a result of that law, the number of refuge volunteers has significantly increased from 4,251 in 1982 to more than 37,000 individuals last year. The number of hours of donated service has also risen from 128,440 hours to 1.5 million hours in 2006, and the value of this volunteer work is \$26.6 million. There are now more than 280 “Friends of the Refuge” organizations.

Under H.R. 5381, the existing hatchery volunteer program would be expanded. The Secretary of the Interior would be permitted to accept gifts or bequests of real and personal property for the benefit of the System. It also authorizes the creation of one or more pilot volunteer projects within the System and the payment of a full-time volunteer coordinator who would be responsible for the recruiting, training and supervision of volunteers. The bill allows the Secretary to enter into cooperative agreements with partner organizations, and it permits the Secretary to approve projects to assist the System by promoting the stewardship of hatchery resources and supporting the operation and maintenance of the hatchery program.

#### COMMITTEE ACTION

H.R. 5381 was introduced on May 11, 2006, by Congressman Jim Saxton (R-NJ). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries and Oceans. On June 15, 2006, the Subcommittee held a hearing on the bill. On July 19, 2006, the Full Resources Committee met to consider the bill. The Subcommittee on Fisheries and Oceans was discharged from further consideration of the bill by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article IV, section 3, clause 2 of the Constitution of the United States grants Congress the authority to enact this bill.

#### COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3( d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee

has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of the bill could increase revenues from private donations and associated direct spending, but any such effects are less than \$500,000 annually.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to establish a volunteer program and promote community partnerships for the benefit of national fish hatcheries and fisheries program offices.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

*H.R. 5381—National Fish Hatchery System Volunteer Act of 2006*

H.R. 5381 would authorize the U.S. Fish and Wildlife Service (USFWS) to allow nonfederal partners to carry out projects and programs that promote and support national fish hatcheries. Assuming appropriation of the amounts authorized by the bill, CBO estimates that implementing H.R. 5381 would cost \$350,000 a year over the 2007–2011 period. Enacting the bill also could increase revenues from private donations and associated direct spending, but we expect that such effects would be less than \$500,000 a year.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

H.R. 5381 would authorize the USFWS to accept and use property, volunteer services, and funds donated by nonfederal entities such as nonprofit organizations. The bill would authorize the agency to accept donations from those partners, including amounts earned from the sale of educational materials and products at the hatcheries. Under the bill, all such earnings would be available, without further appropriation action, for hatchery purposes. Based on information provided by the USFWS, CBO estimates that donations (which would be recorded as revenues in the federal budget) would be less than \$500,000 a year.

Finally, the bill would authorize the appropriation of \$350,000 for each of fiscal years 2007 through 2011, including \$200,000 annually for hatchery programs and \$150,000 annually for a pilot program to maintain volunteer coordinators at one or more hatcheries. Assuming appropriation of the amounts authorized by H.R. 5381, CBO estimates that the USFWS would spend \$350,000 a year to coordinate volunteer activities at hatcheries and to develop and implement public education programs.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

